

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiff,)	8:03CV545
)	
v.)	
)	
PRESIDENTS TRUST, Company LLC,)	ORDER
JON PATRICK PIERCE, and DAVID D.)	
KLASNA,)	
)	
Defendants.)	
_____)	

This matter is before the court on the plaintiff's stipulated motion for entry of injunction as to David D. Klasna and to dismiss plaintiff's claims for disgorgement and penalties as to defendants Klasna and Pierce, Filing No. [104](#). Klasna and Pierce concur in the motion.

Plaintiff has shown that defendant Klasna agrees to the entry of a permanent injunction in the form attached to his consent. Filing No. [100](#), Ex. 1. Accordingly, plaintiff's motion for entry of injunction will be granted and an order of permanent injunction will issue this date.

Defendants Pierce and President's Trust previously consented to the entry of injunctions. Filing Nos. [12](#) and [13](#). Plaintiff has shown that all issues have been resolved as to defendant President's Trust, except for the wind-up and termination of the receivership. Under the terms of the consents to the entry of permanent injunctions, issues of disgorgement and penalties as to Klasna and Pierce remained for resolution of the court. Plaintiff now moves to voluntarily dismiss its claims for disgorgement and penalties against

Klasna and Pierce, leaving no further issues for resolution by the court. Accordingly, pursuant to Fed. R. Civ. P. 41(a)(2), the court finds that plaintiff's motion to dismiss should be granted.

IT IS ORDERED:

1. Plaintiff's stipulated motion for entry of injunction as to David D. Klasna and to dismiss plaintiff's claims for disgorgement and penalties as to defendants Klasna and Pierce is granted.

2. An order of permanent injunction will issue this date.

3. This action is dismissed with prejudice.

4. The court retains jurisdiction over the wind-up of affairs by the Receiver.

DATED this 9th day of September, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge